



# Senate

General Assembly

**File No. 488**

February Session, 2022

Substitute Senate Bill No. 436

*Senate, April 14, 2022*

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING DATA GOVERNANCE AMONG EXECUTIVE BRANCH AGENCIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 4-67n of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2022*):

4 (b) The Secretary of the Office of Policy and Management shall  
5 develop a program to access, link, analyze and share data maintained  
6 by executive agencies and to respond to queries from any state agency,  
7 and from any private entity or person that would otherwise require  
8 access to data maintained by two or more executive agencies. The  
9 secretary shall give priority to queries that seek to measure outcomes  
10 for state-funded programs or that may facilitate the development of  
11 policies to promote the effective, efficient and best use of state resources.  
12 The secretary may create advisory boards to assist with data governance  
13 activities under this section.

14 Sec. 2. Subdivision (2) of section 4-67o of the general statutes is  
15 repealed and the following is substituted in lieu thereof (*Effective October*  
16 *1, 2022*):

17 (2) "Executive branch agency" means any agency [listed in section 4-  
18 38c, except the Board of Regents for Higher Education] with a  
19 department head, as defined in section 4-5.

20 Sec. 3. Section 4-67z of the general statutes is repealed and the  
21 following is substituted in lieu thereof (*Effective October 1, 2022*):

22 [(a)] The Chief Data Officer, in consultation with the Attorney  
23 General and executive branch agency legal counsel, shall review the  
24 legal obstacles to the sharing of high value data of executive branch  
25 agencies, inventoried pursuant to section 4-67p, [among] with executive  
26 branch agencies and [with] the public.

27 [(b)] Not later than January 15, 2020, and annually thereafter, the Chief  
28 Data Officer shall submit a report, developed in consultation with the  
29 Attorney General, agency data officers and executive branch agency  
30 legal counsel, that includes any recommendations on (1) methods to  
31 facilitate the sharing of such high value data to the extent permitted  
32 under state and federal law, including, but not limited to, the  
33 preparation and execution of memoranda of understanding among  
34 executive branch agencies, and (2) any necessary legislation, to the  
35 Connecticut Data Analysis Technology Advisory Board and the joint  
36 standing committee of the General Assembly having cognizance of  
37 matters relating to government administration, in accordance with the  
38 provisions of section 11-4a. Concomitantly, the Chief Data Officer shall  
39 post each such report on the Office of Policy and Management's Internet  
40 web site.

41 (c) The report submitted pursuant to subsection (b) of this section  
42 shall be consistent with the state data plan, created under section 4-67p.  
43 The Chief Data Officer shall update such report annually with  
44 additional information concerning the sharing of high value data and  
45 any additional recommendations, including any potential fiscal impact

46 of any recommendations.]

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2022</i>	4-67n(b)
Sec. 2	<i>October 1, 2022</i>	4-67o(2)
Sec. 3	<i>October 1, 2022</i>	4-67z

**Statement of Legislative Commissioners:**

In Section 3, "agencies" was changed to "with executive branch agencies" for clarity.

**GAE**      *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill makes various changes in the laws governing executive branch data sharing and management. These changes have no fiscal impact as it is not anticipated that any additional resources will be required to implement these changes.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****sSB 436*****AN ACT CONCERNING DATA GOVERNANCE AMONG EXECUTIVE BRANCH AGENCIES.*****SUMMARY**

This bill makes various changes in the laws governing executive branch data sharing and management. It allows the Office of Policy and Management (OPM) secretary to create advisory boards to assist with required data governance activities (i.e., developing a program to access, link, analyze, and share data maintained by executive agencies and to respond to data queries).

Current law authorizes the state's chief data officer (CDO) to direct executive branch agencies (excluding the board of regents of higher education) on data use, management, sharing, coordination, and formulation of the state data plan and transparency plans. The bill expands the definition of "executive branch agency" to those agencies with a department head. Thus, state data plan and agency data officer requirements (see BACKGROUND) would also apply to the offices of Early Childhood, Military Affairs, and Workforce Strategy and departments of Housing and Rehabilitation Services (presumably this means the Department of Aging and Disability Services which is the successor to the Department of Rehabilitation Services (CGS § 17b-650a)).

Lastly, the bill eliminates a CDO annual reporting requirement on executive branch high value data sharing methods. It also makes technical changes.

EFFECTIVE DATE: October 1, 2022

**BACKGROUND**

**Executive Branch Agency Data**

By law, executive branch agencies must designate one employee as the agency data officer. The data officers serve as the agency point of contact for inquiries, requests, or concerns regarding data access. Every two years, the CDO, in consultation with the data officers and executive branch agency heads, must update the state data plan that governs the agencies' information technology-related actions and initiatives.

**Related Bill**

SB 105, § 1, favorably reported by the Higher Education and Employment Advancement Committee, adds the Office of Higher Education executive director to the statutory list of "department heads."

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13    Nay 6    (03/28/2022)